

JP

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KEVIN T. ROGERS, : CIVIL ACTION
Plaintiff :
v
NANCY A. BERRYHILL, :
Acting Commissioner of the :
Social Security Administration, :
Defendant : No. 18-50

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FILED

FEB 26 2019

KATE BAWKAN, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 26th day of Feb., 2019, upon review of the Report and

Recommendation of Carol Sandra Moore Wells, United States Magistrate Judge, it is hereby

ORDERED as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**.
2. Plaintiff's Request for Review is **GRANTED**.
3. This case is **REMANDED** to the Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Administrative Law Judge shall (1) reconsider the weight to be accorded the opinions of Dr. Alcera and therapist Gaines and Dr. Banks and, if necessary, obtain an updated opinion from a State agency consultant based on the entire medical record; (2) reconsider whether Plaintiff satisfies the criteria for Listing of Impairments 12.03, 12.04 and/or 12.06; and (3) if necessary, formulate a new mental health RFC assessment and submit those restrictions to a vocational expert.

BY THE COURT:

John R. Padova, J.

ENT'D FEB 26 2019